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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

GRAHAM, CLEMENT B

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/592,776	Applicant(s) LEROUX ET AL.	
	Examiner Clement B. Graham	Art Unit 3696	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/2/09.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 8-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 8-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. In view of the Appeal Brief filed on 03/2/09 PROSECUTION IS HEREBY REOPENED. New grounds of rejections are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

2. Claims 1-5, 8-22 remained pending.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 10, are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Applicant's claims are directed to an algorithm. Specifically, claim 10 recites "receiving data", "correlating data", however these steps are mere ideas in the abstract (i.e., abstract idea, law of nature, natural phenomena) that do not apply, involve, for example) and abstract ideas without a practical application are found to be non-statutory subject matter. Therefore, Applicant's claims are non-statutory as they do not produce a useful, concrete and tangible result.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5, 8-22, are rejected under 35 U.S.C. 103(a) as being unpatentable over

Cockrill U.S Patent 6, 332, 133 in view of Flitcroft et al (Hereinafter Flitcroft U.S Patent 5, 870, 725).

As per claim 1, Cockrill discloses a system for processing electronic payment transaction data comprising:

a front-end system to receive transaction data from one or more merchants, a front-end system to receive payment data from two or more payment systems (see column 2 para 0018 and column 6 para 0068, 0070 and column 7 para 0071, 0077, and column 8 para 0081-0082).

Cockrill fail to explicitly teach means for correlating at least one data table entry in the transaction data with at least one data table entry in the payment data.

However Flitcroft discloses in one embodiment, RAD software package is configured to issue a sequence of paired numbers which are securely issued and activated and/or decrypted by oral or written authorization, such as the communication of a password. These paired numbers include an identifier code and a mask code. In order to retrieve a limited use number, a user at a remote device identifies himself or herself using his or her RAD software by transmitting the identifier code, such as a dynamic password to RAD support server. RAD support server compares the identifiers code with the particular RAD software package and accepts, or validates, the identifier code if appropriate. If valid, RAD support server determines the matching mask code for that identifier code from database. RAD support server uses the mask code to encrypt the limited use card number as described above, and transmits this encrypted code to the user. RAD software decrypts the encrypted code using the known mask code and reconstructs the initial digits, the BIN number and the checksum digit. RAD software then arranges this information and reconstructs the limited use card number (see 1 lines 50-62 and column 36 lines 66-67 and column 37 lines 1-19).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Cockrill to include means for correlating at least one data table entry in the transaction data with at least one data table entry in the payment data taught by Flitcroft in order to authenticate financial transactions and prevent misuse.

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As per claim 2, Cockrill discloses wherein the reporting system further comprises a data display system that displays at least one data field from the transaction data table entry with at least one data field from the payment data table entry (see column 2 para 0018 and column 6 para 0068, 0070 and column 7 para 0071, 0077, and column 8 para 0081-0082 and claims 16, 22, 23, 25).

As per claim 3, Cockrill discloses wherein the front-end system further comprises a transaction detail system receiving one or more of the group comprising rental pickup date, rental return data, rental agreement data, rental agreement value (see column 2 para 0018 and column 6 para 0068, 0070 and column 7 para 0071, 0077, and column 8 para 0081-0082 and claims 16, 22, 23, 25).

As per claim 4, Cockrill discloses wherein the front-end system further comprises a fuel transaction system to receive one or more of the group comprising vehicle identification data, odometer data, and driver data (see column 2 para 0018 and column 6 para 0068, 0070 and column 7 para 0071, 0077, and column 8 para 0081-0082 and claims 16, 22, 23, 25).

As per claim 5, Cockrill discloses wherein the front-end system further comprises a restaurant transaction system to receive one or more of the group comprising tip data, employee number, food transaction identifier, and beverage transaction identifier (see column 2 para 0018 and column 6 para 0068, 0070 and column 7 para 0071, 0077, and column 8 para 0081-0082 and claims 16, 22, 23, 25).

As per claim 8, Cockrill discloses wherein the back-end system further comprises a deposit correction system receiving one or more of the group comprising processing date, batch identification, outlet identification, deposit correction notice, exception code number, merchant outlet number, transaction identification number, loaded date, control identification number (see column 2 para 0018 and column 6 para 0068, 0070 and column 7 para 0071, 0077, and column 8 para 0081-0082 and claims 16, 22, 23, 25).

As per claim 9, Cockrill discloses wherein the back-end system further comprises a reversal system to receive one or more of the group comprising case number, iteration number, sequence number, reversal date, chargeback amount field, chargeback date field, chargeback reason identification, acquirer reference number, original reference 5 number, outlet identification, card

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brand transaction date, and loading date(see column 2 para 0018 and column 6 para 0068, 0070 and column 7 para 0071, 0077, and column 8 para 0081-0082 and claims 16, 22, 23, 25).

As per claim 10, Cockrill discloses a method for presenting transaction data comprising:

receiving transaction date generated by two or more merchants receiving payment data generated by two or more payment systems(see column 2 para 0018 and column 6 para 0068, 0070 and column 7 para 0071, 0077, and column 8 para 0081-0082).

Cockrill fail to explicitly teach means for correlating at least one data table entry in the transaction data with at least one data table entry in the payment data.

However Flitcroft discloses in one embodiment, RAD software package is configured to issue a sequence of paired numbers which are securely issued and activated and/or decrypted by oral or written authorization, such as the communication of a password. These paired numbers include an identifier code and a mask code. In order to retrieve a limited use number, a user at a remote device identifies himself or herself using his or her RAD software by transmitting the identifier code, such as a dynamic password to RAD support server. RAD support server compares the identifiers code with the particular RAD software package and accepts, or validates, the identifier code if appropriate. If valid, RAD support server determines the matching mask code for that identifier code from database. RAD support server uses the mask code to encrypt the limited use card number as described above, and transmits this encrypted code to the user. RAD software decrypts the encrypted code using the known mask code and reconstructs the initial digits, the BIN number and the checksum digit. RAD software then arranges this information and reconstructs the limited use card number (see 1 lines 50-62 and column 36 lines 66-67 and column 37 lines 1-19).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Cockrill to include means for correlating at least one data table entry in the transaction data with at least one data table entry in the payment data taught by Flitcroft in order to authenticate financial transactions and prevent misuse.

As per claim 11, Cockrill discloses further comprising displaying at least one data field from the transaction data table entry with at least one data field from the payment data table

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entry (see column 2 para 0018 and column 6 para 0068, 0070 and column 7 para 0071, 0077, and column 8 para 0081-0082 and claims 16, 22, 23, 25).

As per claim 12, Cockrill discloses wherein displaying at least one data field from the transaction data table entry comprises displaying at least one transaction detail data field (see column 2 para 0018 and column 6 para 0068, 0070 and column 7 para 0071, 0077, and column 8 para 0081-0082 and claims 16, 22, 23, 25).

As per claim 13, Cockrill discloses wherein displaying at least one data field from the transaction data table entry comprises displaying at least one fuel transaction data field (see column 2 para 0018 and column 6 para 0068, 0070 and column 7 para 0071, 0077, and column 8 para 0081-0082 and claims 16, 22, 23, 25).

As per claim 14, Cockrill discloses wherein displaying at least one data field from the payment data table entry comprises displaying at least one payment transactions data field (see column 2 para 0018 and column 6 para 0068, 0070 and column 7 para 0071, 0077, and column 8 para 0081-0082 and claims 16, 22, 23, 25).

As per claim 15, Cockrill discloses wherein displaying at least one data field from the payment data table entry comprises displaying at least one disposition data field (see column 2 para 0018 and column 6 para 0068, 0070 and column 7 para 0071, 0077, and column 8 para 0081-0082 and claims 16, 22, 23, 25).

As per claim 16, Cockrill discloses 16. The method of claim 11 wherein displaying at least one data field from the payment data table entry comprises displaying at least one deposit correction data field (see column 2 para 0018 and column 6 para 0068, 0070 and column 7 para 0071, 0077, and column 8 para 0081-0082 and claims 16, 22, 23, 25).

As per claim 17, Cockrill discloses wherein displaying at least one data field from the payment data table entry comprises displaying at least one reversal data field (see column 2 para 0018 and column 6 para 0068, 0070 and column 7 para 0071, 0077, and column 8 para 0081-0082 and claims 16, 22, 23, 25).

As per claim 18, Cockrill discloses a system for reporting electronic payment transaction data comprising:

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a transaction system that receives front-end transaction data from one or more merchant systems and payment data from one or more payment (see column 2 para 0018 and column 6 para 0068, 0070 and column 7 para 0071, 0077, and column 8 para 0081-0082 and claims 16, 22, 23, 25).

Cockrill fail to explicitly teach systems reporting system that correlates at least one data table entry in the transaction data with at least one data table entry in the payment data.

However Flitcroft discloses in one embodiment, RAD software package is configured to issue a sequence of paired numbers which are securely issued and activated and/or decrypted by oral or written authorization, such as the communication of a password. These paired numbers include an identifier code and a mask code. In order to retrieve a limited use number, a user at a remote device identifies himself or herself using his or her RAD software by transmitting the identifier code, such as a dynamic password to RAD support server. RAD support server compares the identifiers code with the particular RAD software package and accepts, or validates, the identifier code if appropriate. If valid, RAD support server determines the matching mask code for that identifier code from database. RAD support server uses the mask code to encrypt the limited use card number as described above, and transmits this encrypted code to the user. RAD software decrypts the encrypted code using the known mask code and reconstructs the initial digits, the BIN number and the checksum digit. RAD software then arranges this information and reconstructs the limited use card number (see 1 lines 50-62 and column 36 lines 66-67 and column 37 lines 1-19).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Cockrill to include means systems reporting system that correlates at least one data table entry in the transaction data with at least one data table entry in the payment data a taught by Flitcroft in order to authenticate financial transactions and prevent misuse.

As per claim 19, Cockrill discloses wherein the front-end system receiving the transaction data from the one or more merchants comprises a front end credit card transaction processing system performing credit card transaction processing prior to submission of credit card transactions to a credit card account holder for payment(see column 2 para 0018 and column 6 para 0068, 0070 and column 7 para 0071, 0077, and column 8 para 0081-0082 and claims 16, 22, 23, 25).

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As per claim 20, Cockrill discloses wherein the back-end system receiving the payment data from the one or more payment systems comprises a back-end credit card transaction processing system performing credit card transaction processing after submission of credit card transactions to a credit card account holder for payment (see column 2 para 0018 and column 6 para 0068, 0070 and column 7 para 0071, 0077, and column 8 para 0081-0082 and claims 16, 22, 23, 25).

As per claim 21, Cockrill discloses further comprising means for receiving a report request (see column 2 para 0018 and column 6 para 0068, 0070 and column 7 para 0071, 0077, and column 8 para 0081-0082 and claims 16, 22, 23, 25).

As per claim 22, Cockrill discloses further comprising means for generating transaction detail data (see column 2 para 0018 and column 6 para 0068, 0070 and column 7 para 0071, 0077, and column 8 para 0081-0082 and claims 16, 22, 23, 25).

Conclusion

Response to Arguments

6. Applicant "s arguments filed on 03/2/2009 are not persuasive for the following reasons.
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B. Graham whose telephone number is 571-272-6795. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Dixon can be reached on (571) 272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/THOMAS A DIXON/
Supervisory Patent Examiner, Art Unit 3696

CG

August 28, 2009